



Town of Los Gatos Proposed Reusable Bag Ordinance

The Town of Los Gatos is considering a reusable bag ordinance that is similar to others being adopted as part of a regional effort. The intent of the ordinance is to reduce the environmental impacts and pollution from plastic bags, reduce waste, and promote a shift towards reusable bags as a Zero Waste measure. Information on the proposed ordinance can be provided by Town staff at your request, or downloaded from the Town's website at www.LosGatosCA.gov/ReusableBags.

The following are highlights of the proposed ordinance as it pertains to retailer requirements:

- The Reusable Bag Ordinance applies to retail establishments selling perishable or nonperishable *goods* directly to the customer, such as food, apparel, accessories, or personal items.
- The ordinance does not apply to restaurants, nonprofit charitable reusers (thrift stores), or stores providing a *service* (e.g. dry cleaners), unless they also sell goods (e.g. hair salon).
- Retail stores may **not** provide single-use plastic carryout bags to customers (plastic carryout bags would be banned). Customers may bring their own reusable bags or purchase bags from stores.
- Stores may provide customers with a recycled paper bag or reusable bag, but only if the store charges a minimum price of 10 cents per bag initially, rising to 25 cents in 2015. Stores must exempt customers paying for goods with WIC, CalFresh, SNAP or other food stamp cards from bag charges. Stores retain money collected from bag charges. The 10 cent bag charge is exempt from sales tax.
- Protective bags (without handles) may be provided at no charge for use to segregate and transport items to the cashier (e.g. bags for meat, produce, prescriptions, greeting cards, live fish, or bulk items).
- Paper bags must contain a minimum of 40% postconsumer recycled content, be 100% recyclable, and show other information.
- Reusable bags must be made of machine-washable fabric, or durable plastic that is at least 2.25 mil thick.
- Stores must itemize paper and reusable bag sales on customer receipts, retain records of the number of bag purchases and bag sales for three years, and provide records if requested by the Town.

Bag Specifications

Bags offered for sale at checkout must meet the following requirements:

Recycled Paper Bags

- ✓ Made with a minimum of 40% postconsumer recycled content paper.
- ✓ May not contain old growth tree fiber.
- ✓ Must be 100% recyclable (no plastic handles).
- ✓ Must have printed in a highly visible manner on the outside of the bag:
 - “Reusable” and “Recyclable”
 - Name and location of bag manufacturer
 - Percentage postconsumer recycled content

Reusable Bags

- ✓ Made of cloth or other machine washable fabric with handles; or
- ✓ A durable plastic bag (with handles) at least 2.25 mil thick and specifically designed and manufactured for multiple reuse.

See list of paper and reusable bag suppliers p.3

Sales of Recycled Paper and Reusable Bags

- Stores must charge a minimum of ten cents per bag in the first year that the ordinance is in effect.
- All sales of bags must be itemized on the customer receipt.
- All proceeds from the sale of bags are retained by the retailer without restrictions on use.
- Stores must provide paper carryout bags at no charge to customers paying with WIC, CalFresh, SNAP or other food stamp cards.
- Stores must keep complete and accurate records of all reusable or paper bag sales for a minimum of three years, readily available for Town inspection.
- Per the State Board of Equalization, sales tax does not apply to the 10 cent bag surcharge because it is a charge imposed by the Town upon the customer, not the retailer. For further information about tax reporting requirements, visit www.boe.ca.gov/news/pdf/l282.pdf.

Use of Protective Bags

Stores may provide customers with plastic or paper protective bags (without handles) at no charge for use to segregate and transport the following items to the cashier:

- Meat
- Produce
- Prescriptions
- Greeting cards
- Live fish
- Bulk foods or hardware (e.g. nails)

*Old supplies of banned plastic carryout bags do **not** qualify as protective bags unless handles are removed.*

List of Bag Suppliers*

Reusable Bags		
1 Bag at a Time, Inc.	www.onebagatatime.com	(310) 649-3888
Ad Plus LLC	www.adpluspromotions.com	(408) 528-0818
Bunzl Distribution	www.bunzldistribution.com	(800) 274-1180
Chico Bag	www.chicobag.com	(530) 342-4426
Envirosax LLC	www.envirosax.com	(858) 537-6525
Simply Green Solutions	www.simplygreensolutions.com	(626) 943-2828 ext 101
Store Supply (small quantities available)	www.storesupply.com	(800)-823-8887
Vineyard Unlimited	www.vineyardunlimited.com	(408) 265-1517
Western Textile	www.bagmakers.com	(415) 255-2010

Recycled Paper Bags		
Adrite Promotions	www.adritepromotions.com	(510) 832-6589
Advance Paper Systems	www.apspackaging.com	(408) 286-7770
California Supply North, Inc.	www.calsupply.com	(510) 429-0300 ext 140
Central Cash & Carry	www.centralcashandcarry.com	(408) 975-2485
Luna Packaging LLC	www.lunapackaging.com	(510) 522-5862
Moresco Distributing	www.moresco.biz	(707) 773-2500 ext 112
TreeCycle	www.treecycle.com	(406) 550-3116
Webb Enterprises	www.pacificwesternsales.com	(408) 655-5226

*This list of “Bag Suppliers” in no way implies or conveys that the Town of Los Gatos endorses these suppliers, nor the quality or compliance of their products with respect to the Town of Los Gatos. The list is provided as a courtesy, for informational purposes only, and is not a complete list of suppliers. It is the responsibility of anyone who uses this list to validate the qualifications and compliance of each bag with the Town of Los Gatos Reusable Bag Ordinance *prior* to purchasing bags from suppliers. The Town is not responsible for any expenses that may be associated with using this list.